

IN THE UNITED STATES BANKRUPTCY
COURT FOR THE EASTERN DISTRICT OF
NEW YORK

In Re:
Krista M. Dekerillis

Chapter: 13

Debtor(s)

Bankruptcy Case: 8-22-72502-ast

OBJECTION OF GS MORTGAGE-BACKED SECURITIES TRUST 2019-SL1, U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE (HEREINAFTER REFERRED TO AS “CREDITOR”) TO DEBTOR(S)’ CHAPTER 13 PLAN WITH RESPECT TO TREATMENT OF CREDITOR’S CLAIM IN THE FOLLOWING PROPERTY: 3420 ROCKY POINT ROAD, EAST MARION, NY 11939 (THE “PROPERTY”)

Creditor, through its undersigned Counsel, who is duly authorized to practice before this Court, on behalf of Stern & Eisenberg, PC, respectfully requests that the Court deny confirmation of the most recent Plan filed by Debtor and in support thereof respectfully represent and affirms under penalty of perjury as follows:

1. Creditor is the holder of a Note and Mortgage executed by Debtor on July 2, 2008 in the amount of \$25,000.00. Said loan is secured by the real property owned by Debtor located at 3420 Rocky Point Road, East Marion, NY 11939 (the “Property”).
2. Debtor filed the instant Chapter 13 Bankruptcy on September 20, 2022 and as a result, any State Court proceedings, if any, were stayed.
3. Creditor objects to the Chapter 13 Plan for the following reasons:
 - a. The plan does not provide for the post-petition payments and/or pre-petition arrears to be made to Creditor in accordance with the terms of the Note and Mortgage.
4. By proposing to pay the Creditor as proposed, the Plan violates the standards of 11 U.S.C. 1325(a)(5)(B)(i).
5. These Objections are made in accordance with the Rules of Bankruptcy Procedure.

WHEREFORE Creditor respectfully requests this Court deny confirmation of the Chapter 13 Plan together with such other relief this Court deems necessary and appropriate.

Respectfully submitted,
Stern & Eisenberg, PC
BY: /s/ Peter A. Lawrence
Peter A. Lawrence, Esquire
Stern & Eisenberg, PC
plawrence@sterneisenberg.com
Bar Number: 4951836
Attorney for Creditor

Dated: November 8, 2022

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AFFIDAVIT OF SERVICE

I, Peter A. Lawrence, hereby affirms, under the penalty of perjury, that a true and correct copy of the within Objections of GS Mortgage-Backed Securities Trust 2019-SL1, U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee, together with Order, Notice and this Certificate, was sent by first class, postage prepaid mail on the Debtor Counsel and the Trustee and all other required parties in accordance with the Rules of Bankruptcy Procedure on the date set forth below.

Krista M Preuss
100 Jericho Quadrangle, Ste 127
Jericho, NY 11753
info@ch13edny.com
(BK Trustee)

Regular Mail
Notice of Electronic Filing (ECF)

Krista M. Dekerillis
3420 Rocky Point Road
East Marion, NY 11939

Regular Mail

Adam C. Gomerman
807 East Jericho Turnpike
Huntington Station, NY 11746
adamcgomerman@optonline.net
(Debtor Counsel)

Regular Mail
Notice of Electronic Filing (ECF)

United States Trustee
560 Federal Plaza, Room 560
Central Islip, NY 11722-4437
ustpreion02.li.ecf@usdoj.gov
(United States Trustee)

Regular Mail
Notice of Electronic Filing (ECF)

Respectfully submitted,
Stern & Eisenberg, PC
BY: /s/ Peter A. Lawrence
Peter A. Lawrence, Esquire
Stern & Eisenberg, PC
plawrence@sterneisenberg.com
Bar Number: 4951836
Attorney for Creditor

Dated: November 8, 2022